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6 UNITED STATES DISTRICT COURT
7 WESTERN DISTRICT OF WASHINGTON
8 AT SEATTLE

9 BEHROUZ SHOKRI,

10 Plaintiff,

11 v.

12 THE BOEING COMPANY, a Delaware
Corporation,

13 Defendant.

No. C16-1132 RSM

STIPULATED MOTION AND ORDER
TO EXTEND DEADLINE FOR
PLAINTIFF'S DISCOVERY MOTION

14 1. Pursuant to FRCP 16, Plaintiff Behrouz Shokri and Defendant The Boeing
15 Company (collectively, "the Parties"), respectfully request that the Court grant Plaintiff an
16 additional week to file his discovery motion pursuant to this Court's August 24, 2017 Order on
17 Plaintiff's Motion to Compel. The Parties have conferred and jointly represent that good cause
18 exists for this extension, making Plaintiff's motion to compel due on September 22, 2017, so
19 that Plaintiff can evaluate Defendant's recent supplementation to determine what issues remain
20 to be heard by this Court.

21 **A. STATEMENT OF FACTS**

22 2. Plaintiff filed his Complaint for Damages on July 22, 2016. *Dkt.* 1. The current
23 trial date is January 22, 2018, the discovery cutoff is September 25, 2017, and the deadline for
24 filing discovery motions was August 25, 2017. *Dkt.* 12.

25 3. Plaintiff filed a Motion to Compel Answers to Discovery and Production of
26 Documents on July 6, 2017. *Dkt.* 15.

1 4. On August 24, 2017, this Court denied Plaintiff's motion, but also ordered the
2 following:

3 Further, the Court recognizes that the discovery motion deadline in this matter is
4 August 25, 2017. . . Accordingly, should Plaintiff determine that a Motion to
5 Compel is necessary after an additional conference with Defendant as directed in
6 this Order, he will be allowed to file such a motion **no later than September 15,**
7 **2017. Dkt. 42.**

8 5. On September 6, the Parties held an additional discovery conference in
9 compliance with this Court's order.

10 6. Defendant provided Plaintiff with supplemental production and supplemental
11 answers on September 13. This gave Plaintiff insufficient time to adequately evaluate the
12 remaining deficiencies and file a motion to compel by September 15, particularly because his
13 Lead Counsel is in a deposition in this case, tomorrow, September 15.

14 7. The Parties conferred on September 14, 2017, and have agreed that Plaintiff has
15 good cause for a one-week extension to assess the remaining deficiencies and, in turn, to move
16 the deadline for a motion to compel to September 22, 2017.

17 8. The Parties also contacted the chambers of The Honorable Ricardo Martinez and
18 spoke to the Docket Clerk to inform the Court that this stipulated motion was forthcoming.

19 **B. EVIDENCE RELIED UPON**

20 The Parties rely upon this Motion and the pleadings, files and records in this
21 proceeding.

22 **C. AUTHORITY AND ARGUMENT**

23 This Motion is based upon the Federal Rules of Civil Procedure, corresponding case
24 law, and the Court's power to control its calendar. Orders entered before the final pretrial
25 conference may be modified upon a showing of "good cause." *Johnson v. Mammoth*
26 *Recreations, Inc.*, 975 F.2d 604, 608 (9th Cir. 1992) (citing FRCP 16(b)). Here, "good cause"
exists for the Court to move the deadline for Plaintiff's motion to compel by one week. As
discussed in the Statement of Facts, the Parties stipulate that moving the deadline by one week

1 would give Plaintiff the necessary time to evaluate the production and answers received two
2 days before the deadline for his motion to compel, set by the Court. The Parties jointly
3 represent that good cause exists for the Court to extend the deadline for Plaintiff's motion to
4 compel by one week, making it due September 22, 2017.

5 **D. CONCLUSION**

6 For the above-stated reasons, the Parties respectfully request that the Court grant their
7 Stipulated Motion allowing Plaintiff an additional week to file a motion to compel, as
8 described above.

9 STIPULATED to this 14th day of September, 2017.
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PURSUANT TO STIPULATION, IT IS SO ORDERED this 15th day of
September 2017.



RICARDO S. MARTINEZ
CHIEF UNITED STATES DISTRICT JUDGE